

January 24, 2012

Agenda Amended. Minutes of Reg. Mtgs of Nov. 15, 2011, Dec. 6, 2011, Jan 10, 2012 and Reorg. Mtg. of Jan. 3, 2012 apprvd. Pub. School Inspec. by Dept. of Health adopted. Inspec. of Org. Camps & Campgrounds by Dept. of Health adopted. First Rdg PS SA New Line Items for HMRF Grant. Library Revis.Expen. Temp Staff Line Item for Med. Leaves adopted. Apprvl Contract Btwn DA’s Ofc & Stephen R. Chatman adopted. Dr. Richard Dreyfus apptd to Brd of Health. Paul Pangratz, Deborah Phillips and Jahn Mason reaptd. to Ag. Land Preserv. Brd. Mark J. Corey reaptd to Planning Commission. Underwriter Firm for Possible Refudning of Gen. Oblig. Bonds approved.

Mr. Fatica, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. in the Erie County Council Chambers, Erie County Courthouse, Erie, Pennsylvania.

Moment of Silence
For Harry W. Sailor

Mr. Giles stated that Lana Wright has worked for County Council for a number of years and her father, Harry W. Sailor, passed a few days ago. Members of Council wish to extend their condolences to her and her family. He asked for a moment of silence in honor of Harry W. Sailor.

Moment of Silence
For Laura Leone

Mr. Leone stated that on Friday, January 13, 2012, his sister-in-law, Laura “Corky” Leone, passed away. She had many problems throughout her lifetime, but never let her problems interfere with having a good time and never used her problems to stop anyone from having a good time. She was a compassionate person with empathy for anyone with a problem. While riding in her wheelchair she would stop to see if neighbors or friends needed consolation. She was a very goodhearted person. Mr. Leone asked for a moment of silence in her honor.

Mrs. Loll recited a prayer.

Roll Call

Mr. Smith called the roll:

- Members Present: Mr. Fatica, Chairman
Mr. Giles, Vice Chairman
Mr. Beeman
Mr. Cleaver
Mr. Leone
Mrs. Loll
- Members Absent: Dr. Foust
- Also Present: Douglas R. Smith, County Clerk
Joseph P. Maloney, Council CPA
Thomas Talarico, Council Solicitor
Jim Sparber, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Hearing of
The Public

Fr. Jerry Priscaro, 921 East Avenue, Erie, gave an update to Members of Council on the McBride Viaduct situation which was closed on June 2, 2011. He provided a history of the issue since June 1, 2011. He thanked Members of Council for anything they have done to encourage the City to move this project forward. He provided a copy of a summary of activity that has occurred for Members of Council.

Minutes

Mr. Giles moved to approve the minutes of the Public Hearing and Regular Meeting of November 15, 2011, Regular Meeting of December 6, 2011, Reorganization Meeting of January 3, 2012 and Regular Meeting of January 10, 2012. Mr. Leone seconded. Mr. Giles asked Mr. Maloney whether he had an opportunity to review the numbers as reflected in the budget meeting of November 15, 2011. Mr. Maloney confirmed that he had reviewed those numbers. Mr. Fatica called for a vote on the minutes and it carried in a unanimous roll call vote

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Finance
Committee

Mr. Giles reported the Finance Committee met on January 19, 2012 and agreed to place on the agenda Ordinances 7 and 8, which reflect standards that emanate from the state and administered by the County Health Department for camps and public schools. The Committee also agreed to place Ordinance Number 10 for a first reading as well as Resolution 9. On tonight's agenda is Ordinance Number 11 which will be moved to a second reading. Preceding the Finance Meeting, a series of interviews were held regarding the refinancing of the county's bond issues. He expressed gratitude to those who served on this committee, Mr. Leone who chaired the committee, Mrs. Pasquale, Mr. Sparber and Mr. Maloney for helping to advance this issue. This evening, there is a recommendation that Resolution Number 10 be added to the agenda. This resolution authorizes the refinancing of several bond issues.

Mr. Giles extended congratulations to Mr. Sparber and Mrs. Pasquale for the Certificate of Achievement for Excellence in Finance Reporting.

"The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the County of Erie by the Government Finance Officers Association of United States and Canada (GFOA) for its comprehensive annual report (CAFR). The Certification of Achievement is the highest form of recognition in the area of government accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

James Sparber, Director of Finance"

Mr. Giles added Sue Ellen Pasquale's name to the list.

"The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, DC."

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Mr. Giles'
Report

Mr. Giles extended congratulations. This is the 19th year in a row of receipt of this award. Mr. Fatica extended his congratulations as well, adding it is a pleasure to work with such consummate professionals. This is a reflection of the quality of people in the County.

Mr. Giles referred to the minutes of January 10, 2012 which mentioned a meeting of the Northwest County Commissioners Association. Mr. Giles wished to make everyone aware of an issue regarding the Workforce Investment Board programs and finances. Mr. Leone had sent a letter last November. The issue still moves forward and what makes it more challenging is that the counties surrounding Erie, such as Venango, Crawford, Warren, Clarion, have many new commissioners. Each county has a representative on the board and there has been a complete turnover. Because of the seriousness and magnitude of the issue regarding the Workforce Investment, there was an opportunity to meet with the newly elected commissioners in each of those counties either two at a time or one at a time on that January 10th meeting. Mr. Giles shared with them that the commitment that Mr. Leone had made in regard to whatever contacts he has at the state level, and whatever Erie can do as a county to make certain that the issues surrounding the Workforce Investment Board, as it goes forward with less money and how it will allocate that money. Mr. Giles communicated full support to the new members as they move forward.

Mr. Giles also reported that the COG has been working on the Information Technology issue. Dellicker Strategies submitted a report *E-Government In Erie County - Understanding Current Capabilities And Identifying Future Needs*. This report will be available in the Council for anyone to read which Mr. Giles suggests. This report also reflects townships, cities, boroughs and a variety of other entities with respect to what can be done in terms of technology.

Mr. Fatica's
Report

Mr. Fatica reported that he attended the HUD luncheon on January 23rd. This is the grant for \$1.8 million for many things. Fr. Priscaro may also be interested in this particular grant.

Mr. Fatica also reported that for the first time in Erie's history the Governor's Arts Announcements will be coming to Erie in September which is quite a coup. They will be announcing certain monies to be given for certain individuals and the Governor and his wife will be here. Two very positive social events are occurring, one them being a lot of money flowing through Erie County.

Mr. Leone's
Report

Mr. Leone reported that a memo was sent by CCAP regarding the Office of Children and Youth and family issues. Mr. Leone believes that the state is trying to take actual control of Mental Health/Mental Retardation and Office of Children and Youth departments with block grants. In other words, Erie County would be a partner, but would have no say as to where the funding goes or what agency would receive those particular funds. Pamela Ickes, the Chair of the CCAP Human Services Committee, has indicated that CCAP will fight this issue. Mr. Leone believes Members of Council should show their support of this to the Governor and state. Erie County wants an equal say in decisions regarding funding.

Mr. Leone referred to the Sustainable Community Grant that Council voted on at the previous meeting. He was under the misunderstanding that this was an implementation grant. It is a planning grant that Mr. Leone assumes the consultants, a term he uses loosely, from Philadelphia will come to Erie and tell everyone what needs to be done. Mr. Leone believes the Bosworth study also told Erie County what should be done. In some cases, he feels some of these matters are useless. He recalls the Bosworth study also involved a Coordinating Committee which wanted funding from the County and the rest of the funding would come from the private sector. The County put in approximately \$75,000. Mr. Leone looked for the private sector funding. He found additional funding from GECAC and EMTA. The funding came from either the County or the State. The private sector had no involvement. That is one of the reasons Mr. Leone is leery about this particular grant. He hopes that everyone understands that the private sector does have to step up to the line.

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Mr. Leone's
Report

Mr. Leone wished to address another issue. During a previous meeting when an Executive Session was held and the district judge had to leave Council Chambers, he had an incident with that judge. Mr. Leone asked the district judge why she didn't postpone her hearings and she replied that she didn't have to postpone her hearings. Mr. Leone explained to her that the chambers were Council Chambers, not district judge's chambers. He feels this is a problem that has been going on for years as far as the use of these particular chambers. Every time Council needs the chambers, it is being used. Council is willing to share the chambers, but everyone must understand, especially the district judges that if Council needs the chambers, they will need to reschedule.

Mr. Leone also reported that the elected officials were told when they were sworn in there would be no speeches. When one of the judges gets re-elected Mr. Leone will make sure that they don't speak either. He believes that these elected officials simply wanted to recognize those people that helped in the re-election process. He feels the courts were remiss in refusing to allow speeches.

Mr. Leone believes that one of the biggest problems with any government occurs when the judicial branch of government begins to legislate action. Mr. Leone researched the issue regarding the appointment of the District Attorney. Mr. Leone considers Mr. Daneri to be an excellent district attorney, but the Court indicated that they would make the appointment according to the County Code. In a commissioner form of government, the judicial branch of government does make the appointment for the district attorney. When Mr. Leone pointed out they were legislating action, he was told that Lancaster County was a Home Rule county and that is how that county appointed the district attorney. This was their issue. Mr. Leone stated that Lancaster is not and probably never will be a Home Rule county form of government. It is a commissioner form of government, and they would make the appointment through the courts. Mr. Leone discussed this with Attorney Knox who agreed with him. Mr. Leone feels the appointment of Attorney Daneri was an excellent appointment, but he believes it was the responsibility of County Council to make that appointment. Whether or not the courts realize it, this is an equal form of government among all three bodies.

Public School
Inspection

Mr. Smith gave a second reading of Ordinance Number 7, 2012, "Public School Inspection By The Erie County Department Of Health." Mr. Giles moved to adopt; Mr. Leone seconded and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Inspec. of Org.
Camps &
Campgrounds

Mr. Smith gave a second reading of Ordinance Number 8, 2012, "Inspection Of Organized Camps and Campgrounds By The Erie County Department Of Health." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Agenda Amended

Mr. Giles moved to amend the agenda to include Resolution Number 10, 2012, "Authorization to Engage Underwriter Firm For The Possible Refunding Of Portions Of Erie County 2003, 2005 And 2009 General Obligation Bonds" under Item I and to consider Ordinance Number 11, 2012, "2012 Library Fund Budget Revised Expenditures Of \$6,067 And Creation Of A Temporary Staff Line Item For Medical Leaves" for a second reading. Mr. Leone seconded the motion, and it carried in a unanimous roll call vote.

First Rdg

Mr. Smith gave a first reading of Ordinance Number 10, 2012, "First 2012 Public Safety Fund Budget Supplemental Appropriation Of \$30,307 And Creation of New Line Items For HMRF Grant."

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Lib. Rev. Exp.
Temp.Staff Line

Mr. Smith gave a second reading of Ordinance Number 11, 2012, “2012 Library Fund Budget Revised Expenditures Of \$6,067 And Creation Of A Temporary Staff Line Item For Medical Leaves.” Mr. Cleaver moved to adopt; Mr. Giles seconded, and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Apprvl of Contract
Btwn DA Ofc &
Stephen Chatman

Mr. Smith gave a reading of Resolution Number 9, 2012, “Approval Of Contract For Professional Services By And Between The Erie County District Attorney’s Office And Stephen R. Chatman.” Mr. Leone moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Appointments
Approved

Mr. Leone moved to approve the following:

Appointment of Dr. Richard Dreyfus to the Erie County Board of Health
Reappointment of Paul Pangratz to the Erie County Agricultural Land Preservation Board
Reappointment of Deborah Phillips to the Erie County Agricultural Land Preservation Board
Reappointment of John Mason to the Erie County Agricultural Land Preservation Board
Reappointment of Mark J. Corey to the Erie County Planning Commission

Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Underwriter For
Refunding Gen.
Obg. Bonds

Mr. Smith gave a reading of Resolution Number 10, 2012, “Authorization to Engage Underwriter Firm For The Possible Refunding Of Portions Of Erie County 2003, 2005 And 2009 General Obligation Bonds” in its entirety. Mr. Giles moved to adopt; Mrs. Loll seconded.

Mr. Giles noted that Piper Jaffray’s cost was \$2.56 per 1,000 bonds which was almost one-half of the rate of every other bidder. There is no way to determine the actual savings until one actually goes to market. There is the optimistic possibility of saving approximately \$1.6 million. The Committee indicated that whatever savings are obtained would be used for the payment of the remaining debt. Mr. Giles complimented everyone involved in the process.

Mr. Fatica called for a vote on the resolution and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:39 p.m.

Ann M. Bruno, Council Secretary
